

**PUBLIC NOTICE OF FEDERAL CLEAN AIR ACT PERMIT
AND PUBLIC COMMENT PERIOD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1, AIR & RADIATION DIVISION**

For

**South Fork Wind, LLC
56 Exchange Terrace, Suite 300
Providence, Rhode Island 02903**

The United States Environmental Protection Agency Region 1 office (EPA) is proposing to issue a Clean Air Act (CAA) permit to South Fork Wind, LLC (SFW) for the construction and operation of an Outer Continental Shelf (OCS) source that will consist of an offshore windfarm with the potential to produce 130 megawatts (MW) of electricity. The proposed work area (WA) will be located in federal waters in the Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area OCS-A 0517. At its nearest points, the WA will be approximately 23 miles southwest of Martha's Vineyard, Massachusetts. The EPA is proposing to issue the OCS air permit pursuant to section 328 of the CAA and the applicable rules and regulations promulgated under 40 C.F.R. part 55, including applicable regulations by the Massachusetts Department of Environmental Protection that were incorporated by reference into part 55. We are soliciting comments related to the air emission impacts and the substance of the proposed CAA permit for the windfarm.

Revised Draft Permit:

The EPA proposed an initial draft permit for the South Fork windfarm on June 24, 2021. Since the initial public comment period on the draft permit, EPA Regional Offices and Headquarters have undertaken an assessment of the application of the offset requirements under the Nonattainment New Source Review (NNSR) program to OCS sources subject to the OCS air permit program at 40 C.F.R. part 55. EPA is reopening the public comment period for an additional 47 days to request comment on a revision to the draft permit that removes the requirement to obtain emission offsets for construction emissions. This proposed revision aligns permit conditions with the Clean Air Act and Massachusetts regulations as they related to offsetting emissions. The revised draft permit maintains control technology requirements for OCS sources engaged in construction activities, and the requirement in the permit to obtain offsets for operational emissions remains unchanged as well. EPA is also taking this opportunity to correct typographical errors and include provisions that were inadvertently omitted from the initial draft permit.

Description of the Project:

SFW submitted the permit application for the proposed construction and operation of a 130 MW windfarm in Renewable Energy Lease Area OCS-A 0517. This windfarm will be located in federal waters off the Massachusetts coast about 23 miles from Martha's Vineyard and 19 miles from Noman's Land Island. The windfarm will consist of up to 15 wind turbine generators (WTGs), submarine cables between the WTGs, and an Electrical Service Platform (ESP). An alternating current electric cable will connect the windfarm to the existing mainland electric grid in East Hampton, New York. The proposed permit for the WA includes requirements for the prevention of significant deterioration (PSD) and NNSR permit programs, as well as other state and federal air pollution control requirements.

Air Quality Impacts:

The air quality analysis showed that the impact from the windfarm's operation will not cause or contribute to a violation of applicable national ambient air quality standards (NAAQS) or PSD increments. The analysis also showed that construction phase emissions will not cause significant impacts for the PSD increments at any Class I area (national parks and wilderness areas). The NAAQS are health-based standards that the EPA sets to protect public health with an adequate margin of safety. The PSD increments are designed to ensure that air quality in an area that meets the NAAQS does not significantly deteriorate from baseline levels. The proposed WA would

consume a maximum of around 97% of the 24-hr PM_{2.5} PSD increment localized around each turbine. In addition, the air quality impact analysis demonstrated that operation of the windfarm will not adversely cause impairment to soils, vegetation, or visibility at Class I areas.

EPA Permit Action:

SFW submitted the initial OCS air permit application for the windfarm to the EPA on February 1, 2019. SFW submitted subsequent amendments to their original permit application, and EPA deemed the application complete on January 13, 2021. The EPA is proposing to issue the final federal CAA permit based on the information in SFW's application and subsequent application updates and the applicable air permitting regulations. The proposed permit number for this action is OCS-R1-04.

Public Comment Process:

The EPA proposed an initial draft permit for a 45-day public comment period from June 24, 2021 to August 9, 2021. EPA is reopening the public comment period for an additional 47 days (until December 6, 2021) to request comment on a revision to the draft permit that removes the requirement to obtain emission offsets for construction emissions. EPA is also taking this opportunity to correct typographical errors and include provisions that were inadvertently omitted from the initial draft permit. Any interested person may submit written comments on the proposed revisions to the draft OCS air permit during the public comment period. The EPA will consider all submitted comments in its final decision-making process, including comments submitted during the initial public comment period.

All data submitted by the applicant is available as part of the administrative record. Following U.S. Centers for Disease Control and Prevention (CDC) and U.S. Office of Personnel Management (OPM) guidance impacting our regional offices, EPA's workforce has been directed to telework to help prevent transmission of the coronavirus. While in this workforce telework status, there are practical limitations on the ability of Agency personnel to allow the public to review the administrative record in person at the EPA Boston office. However, any electronically available documents that are part of the administrative record can be requested by contacting Undine Kipka at (617) 918-1335 or kipka.undine@epa.gov.

Electronic copies of the revised draft permit, supplemental fact sheet, and all supporting materials are also available for review on EPA's website at: <https://www.epa.gov/caa-permitting/caa-public-comment-opportunities-region-1>.

The public comment period on the revised draft permit will begin upon publication of this notice and will end on **December 6, 2021**. Due to the COVID-19 emergency, EPA prefers that all comments be submitted via email to Undine Kipka at kipka.undine@epa.gov. If email submittal of comments is not feasible, hard copy comments may be submitted to the address below.

Undine Kipka
Air and Radiation Division (Mailcode: 05-2)
U.S. EPA Region 1
5 Post Office Square, Suite 100
Boston, MA 02109.

Comments may also be submitted electronically through <https://www.regulations.gov> (Docket ID # **EPA-R01-OAR-2021-0392**).

All comments received at or before the end of the public comment period will be considered in arriving at a final decision on the permit. The final permit is a public record that can be obtained upon request. A statement of reasons for changes made to the proposed permit and responses to all significant comments received will be sent to all persons who submitted comments and contact information on the initial draft permit and revised draft permit, or who requested notice of the final permit decision.

The EPA has revised the draft permit for SFW to modify the conditions regarding offsets and is hereby reopening the public comment period for the SFW permit action to seek comments on changes to the proposed draft permit. If you believe any conditions in the revised draft permit are inappropriate, or that our initial decision to prepare a permit is inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably ascertainable arguments supporting your position by the end of the public comment period. Any supporting materials that you submit must be included in full and may not be incorporated by reference, unless they are already part of the administrative docket for this permit proceeding or consist of State, Tribal, or Federal statutes and regulations, EPA documents of general availability, or other generally available referenced materials.

All comments received will be included in the public docket without change and will be available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that is considered to be CBI or otherwise protected should be clearly identified as such and should not be submitted through email. If a commenter sends email directly to the EPA, the email address will be automatically captured and included as part of the public comment. Please note that an email or postal address must be provided with comments if the commenter wishes to receive direct notification of the EPA's final decision regarding the proposed permit.

In addition, the EPA will hold a public hearing for the proposed OCS air permit at 7:00 pm EST on December 2, 2021. The hearing will be held virtually via Zoom.gov. More information regarding the public hearing and registration instructions are included on EPA's website at <https://www.epa.gov/caa-permitting/caa-public-comment-opportunities-region-1>. The hearing will be conducted in the English language. If you need a reasonable accommodation or have translation/interpretation needs, please contact Undine Kipka at (617) 918-1335 or email: kipka.undine@epa.gov by no later than November 18, 2021. The hearing will end when all attendees wishing to speak have spoken, or at 9:00 p.m., whichever is sooner. If no parties join the hearing by 8:00 p.m. EST, EPA will close the hearing. Depending on the number of attendees that wish to speak, the Presiding Officer may set reasonable limits on the time allowed for oral statements. We request, if possible, that you provide a written copy of any testimony you intend to present during the hearing. A written transcript of the public hearing will be made available afterwards. The public hearing will be conducted according to the rules and procedures of 40 C.F.R. § 124.12.

The EPA will proceed with final permit issuance consistent with the regulations at 40 C.F.R. part 55 and administrative procedural requirements at 40 C.F.R. part 124. Following the close of the public comment period, and after the public hearing, the EPA will issue a Final Permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the permit decision, any interested parties may submit a petition for review of the permit to the EPA's Environmental Appeals Board consistent with 40 C.F.R. § 124.19.

In accordance with 40 C.F.R. § 124.15, the final permit becomes effective 30 days after permit issuance, unless: (1) a later effective date is specified in the permit; or (2) the permit decision is appealed to the EPA's Environmental Appeals Board pursuant to 40 C.F.R. § 124.19; or (3) no comments resulted in a change to the proposed permit or a denial of the permit, in which case the EPA may make the final permit effective immediately upon issuance.

The EPA will add the OCS air permit to the EPA Region 1 website at <https://www.epa.gov/caa-permitting/epa-issued-cao-permits-region-1>. Anyone may request a copy of the final OCS air permit at any time by contacting Undine Kipka at kipka.undine@epa.gov or (617) 918-1335.

If you would like to be added to our mailing list to be informed of future actions on this or other CAA permits issued by EPA Region 1, please send your name and address to Air Permits Team, Air and Radiation Division (Mailcode 05-2), U.S. EPA Region 1, 5 Post Office Square, Suite 100, Boston, MA 02109, or sign up to receive notifications on our website at: <https://www.epa.gov/caa-permitting/cao-permitting-epas-new-england-region>.